

A-5543

Install an arbor measuring ninety inches (90")
in height located in the side yard of the
property, between the house and
the west property line.

Mr. Alan H. Fleischmann
Ms. Dafna Tapiero
134 Grafton Street

**CHEVY CHASE VILLAGE
NOTICE OF PUBLIC HEARING**

Please take notice that the Chevy Chase Village Board of Managers will hold a public hearing on the 11th day of May, 2009 at 7:30 p.m. The hearing will be held at the Chevy Chase Village Hall at 5906 Connecticut Avenue in Chevy Chase, Maryland.

**APPEAL NUMBER A-5543
MR. ALAN H. FLEISCHMANN
MS. DAFNA TAPIERO
134 GRAFTON STREET
CHEVY CHASE, MARYLAND 20815**

The applicants seek a special permit from the Board of Managers pursuant to Section 8-12 of the Chevy Chase Village Building Code to install an arbor measuring ninety inches (90") in height located in the side yard of the property, between the house and the west property line.

The Chevy Chase Village Code § 8-22 (e) states:

No person shall construct any fence or wall at any location between the front building restriction line and the rear property line nor along any rear property line having a height greater than six and one-half (6 1/2) feet. The measurement shall be made from the surface of the ground of the lower yard next to the fence or wall. With the written consent of the owner(s) of any adjoining property, a fence or wall of greater height than six and one-half (6 1/2) feet at its highest point, may be erected or permitted if a special permit is obtained from the Board of Managers.

Additional information regarding this appeal may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at www.ccvillage.org or you may contact the office for this information to be mailed to you.

This notice was mailed to abutting property owners on the 30th day of April, 2009.

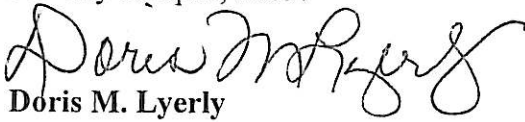
**Chevy Chase Village Office
5906 Connecticut Avenue
Chevy Chase, Maryland 20815
301-654-7300**

MAILING LIST FOR APPEAL A-5543

**MR. ALAN H. FLEISCHMANN
MS. DAFNA TAPIERO
134 GRAFTON STREET
CHEVY CHASE, MARYLAND 20815**

Adjoining and confronting property owners	
Mr. and Mrs. William A. Babb Or Current Resident 133 Grafton Street Chevy Chase, MD 20815	Ms. Ann S. O'Malley Or Current Resident 4103 Oliver Street Chevy Chase, MD 20815
Mr. and Mrs. Stanley Macel Or Current Resident 129 Grafton Street Chevy Chase, MD 20815	Mr. William Nance Or Current Resident 4105 Oliver Street Chevy Chase, MD 20815
Ms. Willagene G. Wall Or Current Resident 127 Grafton Street Chevy Chase, MD 20815	Mr. Philip Webre Ms. Jayne Shister Or Current Resident 5800 Kirkside Drive Chevy Chase, MD 20815
Ms. Henrietta C. Vent Or Current Resident 136 Grafton Street Chevy Chase, MD 20815	Mr. and Mrs. Michael L. Denger Or Current Resident 5802 Kirkside Drive Chevy Chase, MD 20815

I hereby certify that a public notice was mailed to the aforementioned property owners on the 30th day of April, 2009.


Doris M. Lyerly
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815

GEOFFREY B. BIDDLE
Village Manager
DAVID R. PODOLSKY
Legal Counsel

CHEVY CHASE VILLAGE
5906 CONNECTICUT AVENUE
CHEVY CHASE, MD 20815
Telephone (301) 654-7300
Fax (301) 907-9721
ccv@montgomerycountymd.gov

BOARD OF MANAGERS
DOUGLAS B. KAMEROW

Chair
DAVID L. WINSTEAD
Vice Chair
SUSIE EIG
Secretary
GAIL S. FELDMAN
Treasurer
BETSY STEPHENS
Assistant Treasurer
PETER M. YEO
Board Member
ROBERT L. JONES
Board Member

April 30, 2009

Mr. Alan H. Fleischmann
Ms. Dafna Tapiero
134 Grafton Street
Chevy Chase, MD 20815

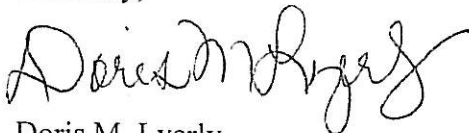
Dear Mr. Fleischmann and Ms. Tapiero:

Please note that your request to install an arbor in the side yard of your property is scheduled before the Board of Managers on Monday, May 11, 2009 at 7:30 p.m.

Either you or a representative must be in attendance to present your case. At that time, additional documents may be introduced and testimony can be provided in support of your request.

For your convenience, enclosed please find copies of the Public Hearing Notice and mailing list. Please contact the Village office in advance if you will be unable to attend.

Sincerely,



Doris M. Lyerly
Permitting & Code Enforcement Specialist
Chevy Chase Village

Enclosures

Chevy Chase Village Building Permit Application

Permit Number: 5543
Date of Application: 4-20-09

Applicant Name: <u>Dafna Tapero</u>	
Address: <u>134 Grafton St</u>	Phone: <u>202-281-4171</u>
Contractor: <u>Walpole Woodworkers</u>	Phone: <u>703-759-6901</u>
Contact Person: <u>Steve Goggin</u>	MHI/MD Contractor's Lic. No.

Filing Requirements

- ☐ A recent house location survey showing all existing and proposed structures.
- ☐ Construction plans and specifications. If trees that are twenty-four inches (24") in circumference or larger measured four feet six inches (4'6") above ground level are at risk of being disturbed during the construction, they must be shown on the submittal plans.
- ☐ Copy of stamped, approved Montgomery County drawings (if required). These drawings will remain on file at Chevy Chase Village.
- ☐ Copy of plans that show location of dumpster, portable sanitation facility, delivery zone and parking area.
- ☐ Copy of Covenants (if required).
- ☐ The filing fees for a Chevy Chase Village Building Permit are listed in Chapter 6 of the Village Code.
- ☐ Completed Building Permit Application and payment of filing fees.

The Village Manager will review the application and accompanying documents and, under most circumstances, will act on the building permit within 5 to 10 working days.

In the event the Montgomery County building permit is suspended, revoked or lapsed, the Village permit is automatically suspended, revoked or lapsed.

No signs advertising the contractor, architect or other service provides associated with the permitted project shall be posted on the site.

I hereby certify that I have the authority to make the foregoing application, that the application is correct, that I have read and understood all requirements and that the construction will conform to the regulations of the Building Code, the Montgomery County Zoning Code, the Village Tree Ordinance, and all applicable covenants on the above property.

Applicant's Signature: 

Date: 3-25-09

For use by HPC only:

Historic Area Work Permit required?

Yes ☐

No ☐ _____ (HPC initials)

Exact Description of Construction Plans:

installation of an arbor ~~over 6ft~~ and fence
On right side of house. It is 90 inches tall
(7.5 feet).

- ☐ Check here if the construction will require the demolition of over fifty (50) percent of any existing structure.
☐ Check here if a dumpster will be used (only permitted on private property). If so, applicant must file for a Village Dumpster Permit.

Parking Compliance

Is adequate on-site parking available for the construction crews? ☒ Yes ☐ No

If the answer is no, please provide a plan for parking which minimizes inconvenience to neighboring residents indicating if the property is in a permit parking area.

Will road closings be required due to deliveries, equipment or other reasons? ☐ Yes ☐ No

Responsible Party:

Will the residence be occupied during the construction project? ☒ Yes ☐ No

If no, please provide the name, address, business and after-hours phone number for the project manager or the party responsible for the construction site.

For Use By Village Manager

Approved with the following conditions:

For Use By Village Manager

Denied for the following reasons:

MAR 24 2009

Chevy Chase
Village Manager

Exceeds HT MAX IN proposed location
Sitting bike

Filing Fees

Permit Fee

Damage Deposit

Appeal Fee

Tree Preservation Plan

Total Fees & Deposits

300

300

Checks Payable To:

Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815

Date

Staff Signature

3/25/09

[Signature]

DAFNA TAPIERO & ALAN FLEISCHMANN
134 GRAFTON STREET
CHEVY CHASE, MD 20815

April 20, 2009

Statement to the Board of Managers

We are writing to request a special permit for an arbor that is 90 inches tall (from ground to top of arch). It will be located on the right side of the property, just to the right of a renovated garage.

As per Section 8-11(b), the proposed special permit would not adversely affect the public health, safety or welfare, nor the reasonable use of adjoining properties; it can be granted without substantial impairment of the intent and purpose of Section 8-22(e); and the structure authorized by the proposed special permit would not violate any covenant applicable to the property.

We would like to request a special permit because the structure authorized by the proposed variance would not violate any covenant applicable to the property. The arbor would beautify the property, facilitate landscaping, and convey elegance to our home. The arbor (and accompanying gate) would also be a security measure for our five and two-year old daughters.

We have discussed the arbor with our neighbor's son, as his mother is currently going back and forth between a nursing home. He has said that it would be no problem. We will obtain a letter from him stating that they approve our construction of an arbor.

Thank you for your consideration.

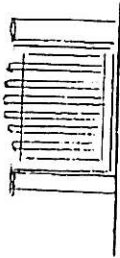
Dafna Tapiero and Alan Fleischmann

A handwritten signature in dark ink, appearing to be a stylized combination of the names Dafna and Alan, written over the printed names.

WALPOLE WOODWORKERS

38"

SCALLOPED PICKETS
STRAIGHT RAIL
(FRONT GATE)



EXISTING SOUND
BOARD FENCE

TAPIERO RESIDENCE

134 GRAFTON STREET
CHEVY CHASE, MARYLAND

REMOVE EXISTING FENCE
& GATE

TO BE REMOVED

EXISTING
PICKET
FENCE

HEIGHT: 90" / 75 Pkts

SPANDUE TOP
ARABOR
W/ CONCRETE
SCALLOP
CHESTNUT HILL
GATE

CHESTNUT HILL FENCE
42" H

DRIVEWAY

PROPOSED
CHESTNUT HILL PICKET FENCE
42" H

CHESTNUT HILL
GATE 38" W
CONCRETE SCALLOP
PICKETS

5 1/2" x 5 1/2" POSTS

SIDEWALK

SIDEWALK

GRAFTON STREET

REV. 3/12/09
3/8/09
E.L.



Walpole Woodworkers, Inc.

9867 Georgetown Pike

Great Falls, VA 22066

703-759-6901

PROJECT: TAPIERO RESIDENCE

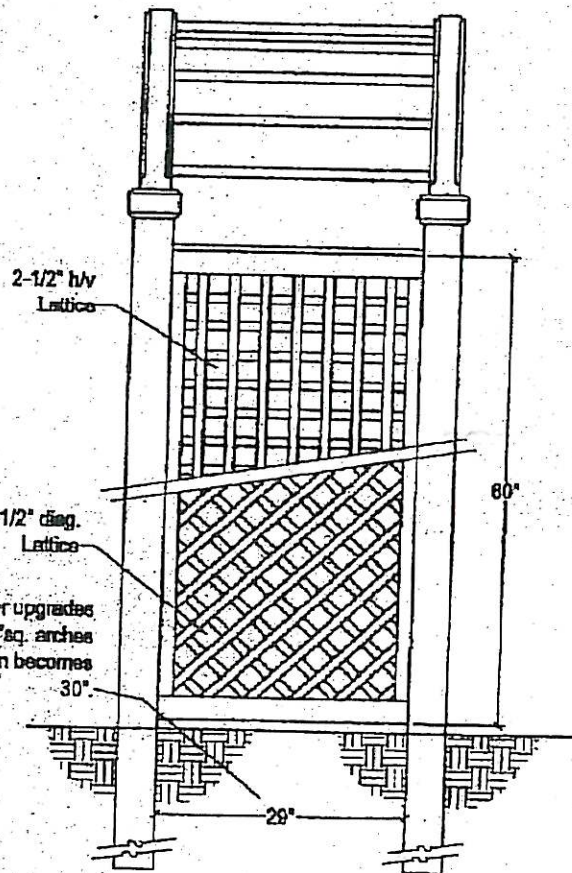
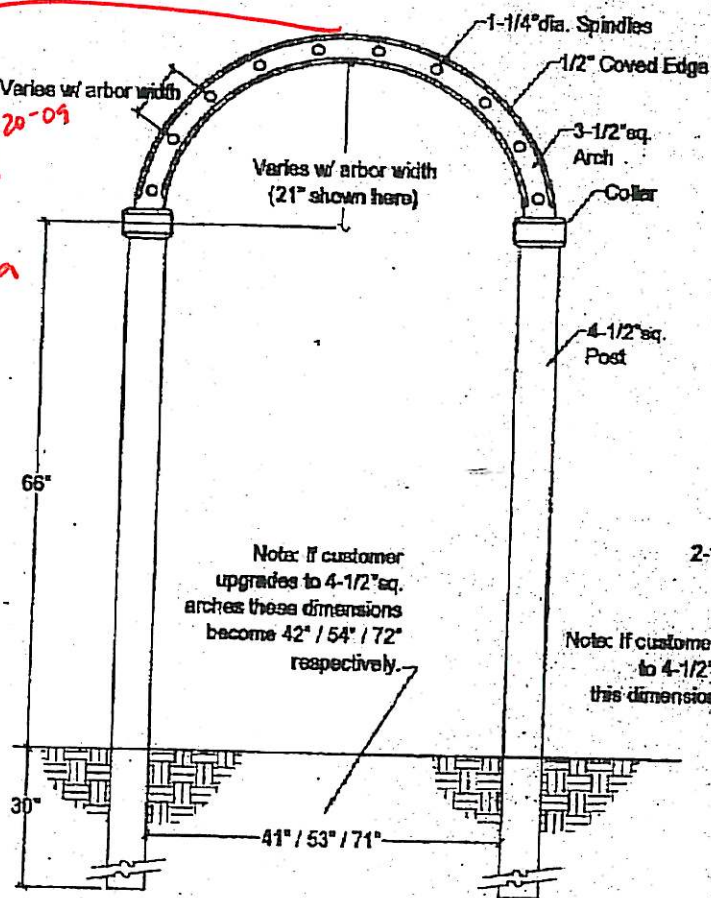
DATE: APRIL 2009

DRAWN BY: _____

SCALE: _____

(FOR ILLUSTRATION PURPOSES ONLY)

HEIGHT:
90"
7.5 feet
4-20-09





Lyerly, Doris

From: H VENT [hv4851@msn.com]
Sent: Wednesday, April 29, 2009 11:34 AM
To: Lyerly, Doris
Subject: FW: 134 Grafton Street

From: hv4851@msn.com
To: doris.lyerly@montgomerycountymd.gov
Subject: RE: 134 Grafton Street
Date: Wed, 29 Apr 2009 10:41:56 -0400

Dear Ms. Lyerly:

After reading the following letter to my mother this morning, she confirmed that it expressed her thoughts and consent and asked that a copy be provided to Ms. Tapiero and the text e-mailed to you. We ask that it be incorporated in the record pertaining to the application to install the arbor at 134 Grafton Street as if it were submitted in hard copy at this time, in order that the request can remain on the May agenda and considered at the May meeting:

"April 29, 2009

Dear Ms. Tapiero and Mr. Fleischmann:

I appreciated your letter of April 27, 2009, which Henning brought from home, requesting my approval of the installation of an arbor on your grounds adjacent to my property. Henning read your letter to me and described both the picture and the architect's drawings for the arbor, which we discussed.

I am in overall approval of the project, and hope that your children will have many happy and safe years with the addition of the fence, arbor, and gates.

I wish you good luck in the construction and landscaping, and would ask only that not too much of the shrubs or bushes from our side would have to be cut- I will have the overhanging branches guided back onto my side of the driveway.

Again, thanks for the notice - I have had a copy of this approval letter to be sent to Ms. Doris Lyerly at the Village by e-mail today - and hope you will be granted the permit or license on the May agenda at the Village.

With warm regards,

(upon dictation)

Henriette C. Vent
136 Grafton Street
Chevy Chase, Maryland
(301) 656-5235

by and through Henning Vent, son
(202) 487-4611"

Please let us know if there is anything further that is required.

Subject: 134 Grafton Street
Date: Tue, 28 Apr 2009 13:19:43 -0400

Lyerly, Doris

From: Stan Macel [smacel@hotmail.com]
Sent: Thursday, April 30, 2009 2:57 PM
To: Lyerly, Doris
Cc: dtapiero@ifc.org
Subject: Proposed arbor at 134 Grafton St

Dear Ms Lyerly,

We live at 129 Grafton Street, directly across the street from Dafna Tapiero and Alan Fleischman at 134 Grafton. We understand that Dafna and Alan would like to add an arbor and gate between their front yard and side yard that would exceed the standard height allowed by CCV. We think the arbor and gate would be an attractive addition to their landscaping, and would also provide a barrier to protect their young children from running out of the back yard and possibly into the street. We do not think a high arbor such as that proposed would impinge on our views (or others' views). Further, a tall arbor would make it easier for tall individuals (such as Alan) to walk under the arbor unimpeded. We have no objections whatsoever to their plans.

Thanks for your solicitation of our views. We are happy to provide additional information if you would like.

Best regards,

Leanne and Stan Macel
129 Grafton St.
email: smacel@hotmail.com